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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,266	03/05/2002	Gael Mace	PF010020	6430
7590 04/20/2007 Joseph S. Tripoli THOMSON multimedia Licensing, Inc. Two Independence Way P.O. Box 5312 Princeton, NJ 08543			EXAMINER NGUYEN, CINDY	
			ART UNIT 2161	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/20/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/091,266	Applicant(s) MACE ET AL.	
	Examiner Cindy Nguyen	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2007.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 7-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,2 and 7-14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/05/07 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 7, 8, 9, 11 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Higgins et al. (US 6587480) (Higgins).

Regarding claim 1, Higgins disclose: Method for isochronous file transfer in a network for transmission of audio/video data (i.e., the first isochronous device capable of initiating a request to the second isochronous device to transfer multimedia information from the second isochronous device to the first isochronous device, col. 8, lines 35-40, Higgins), comprising the steps, at the level of a client application (i.e., browse step 310, fig. 3 and corresponding text, Higgins) of:

- causing a client device to request the opening of an isochronous connection between the client device and a source device (i.e., the controlling client requests an isochronous user information path (or, synonymously, a "circuit connection") in a request connection step 340, fig. 3, Higgins);

- causing the client device to specify a file to be transferred from the source device to the client device in an isochronous manner over the connection (i.e., the remote client responds by accepting the isochronous circuit connection in a acceptance step 350 and controlled client exports the capability to play a variety of video formatted files on the isochronous streams, col. 15, lines 8-15, Higgins);

- causing the client device to specifying a starting point, within said file, and from which the transfer is to be carried out (i.e., the controlling client requests an isochronous user information path (or, synonymously, a "circuit connection") in a request connection step 340, fig. 3, Higgins);

- causing the client device to request initiation of the file transfer from the starting point (i.e., the first isochronous device capable of initiating a request to the second isochronous

device to transfer multimedia information from the second isochronous device to the first isochronous device, col. 8, lines 35-40, Higgins).

Regarding claim 7, all the limitations of this claim have been noted in the rejection of claim 1. In addition, Higgins discloses: wherein said starting point is specified in the request for opening the connection (i.e., the remote client responds by accepting the isochronous circuit connection in an acceptance step 350 and controlled client exports the capability to play a variety of video formatted files on the isochronous streams, col. 15, lines 8-15, Higgins).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claims 1 and 2. In addition, Higgins discloses: Device for connection to a network for transmission of audio/video data (i.e., the first isochronous device capable of initiating a request to the second isochronous device to transfer multimedia information from the second isochronous device to the first isochronous device, col. 8, lines 35-40, Higgins), comprising: a recording medium for storing isochronous files (col. 17, lines 30-36, Higgins);

a functional components module (i.e., functions: 10base-T hub repeater, B channel switch, isoEthernet interfaces..., col. 11, lines 61 to col. 12, lines 8, Higgins) providing an application programmable interface for access (isoEthernet interfaces, col. 11, lines 64, Higgins) to said recording medium by a client device (i.e. isochronous client device, col. 13, lines 24-25, Higgins) wherein the application programmable interface comprises a method for transferring an isochronous file over an isochronous connection to the client device starting from a starting point in the file, specified by the client device ((i.e., the remote client responds by accepting the isochronous circuit connection in an acceptance step 350 and controlled client

exports the capability to play a variety of video formatted files on the isochronous streams, col. 15, lines 8-15, Higgins).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 8. In addition, Higgins discloses: wherein the application programmable interface comprises : methods for acting upon isochronous connections and files (i.e., the remote client responds by accepting the isochronous circuit connection in a acceptance step 350 and controlled client exports the capability to play a variety of video formatted files on the isochronous streams, col. 15, lines 8-15, Higgins); methods for acting upon asynchronous connections and files (i.e., an ATM hub provides bridging between the multimedia chassis and/or one or more multimedia hubs, col. 12, lines 9-17, Higgins); file type (audio/video) independent methods for acting upon both asynchronous and isochronous files (i.e., audio/video can transfer as asynchronous, col. 12, lines 9-17 and transfer as isochronous as col. 15, lines 55-64, Higgins).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claims 1 and 2. In addition, Higgins discloses: method for isochronous file transfer in a network for transmission of audio/video data, at the level of a source device comprising a recording medium for storing isochronous file, comprising the steps of: receiving from a client device a method call including a request to transmit for transmitting an isochronous file to the client device over an isochronous connection with the client device, from a starting point specified in the request (i.e., the controlling client requests an isochronous user information path (or, synonymously, a "circuit connection") in a request connection step 340, fig. 3, Higgins);;

Art Unit: 2161

initiating the file transfer from the starting point (i.e., the first isochronous device capable of initiating a request to the second isochronous device to transfer multimedia information from the second isochronous device to the first isochronous device, col. 8, lines 35-40, Higgins).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 11. In addition, Higgins discloses: wherein the method call is a method call for setting up the isochronous connection (col. 14, lines 16-48, Higgins).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higgins et al. (US 6587480) (Higgins) in view of Zondag (US 6389466).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1 above. However, Higgins didn't disclose: wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred, wherein said file manager functional component module provides an application programmable interface for access by said client application.

On the other hand, Zondag discloses: wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device (i.e., FCM, col. 9, lines 1-20, Zondag) for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred (col. 10, lines 10-15, Zondag), wherein said file manager functional component module provides an application programmable interface for access by said client application (col. 10, lines 21-25, Zondag). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred, wherein said file manager functional component module provides an application programmable interface for access by said client application recited in the system of Higgins as taught by Zondag. The motivation being to provide a software element allowing the user control of the device and its functional components (col. 9, lines 21-24, Zondag).

Regarding claim 10, all the limitations of this claim have been noted in the rejection of claims 8 or 9 above. However, Higgins didn't disclose: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous and isochronous files. On the other hand, Zondag

Art Unit: 2161

discloses: wherein the application programmable further comprises methods for acting upon directories of both asynchronous and isochronous files (col. 10, lines 11-25, Zondag). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include methods for acting upon directories of both asynchronous and isochronous files in the system of Higgins as taught by Zondag. The motivation being to provide a software element allowing the user control of the device and its functional components (col. 9, lines 21-24, Zondag).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11 above. in addition, Higgins/Zondag disclose: wherein the called method is part of an application programmable interface of a file manager functional component module for managing the recording medium (i.e. other applications can query the registry to find out the devices and functional components available and to get a software element identifier to allow them to interact with the device via a AR and the FCMs, col. 11, lines 20-32, Zondag), further comprising the step of having the source device establish, using its local registry service a global directory comprising directories of all file manager functional component module compatible devices in the network (i.e., the FCM is a software object in the sense that it is registered as a receiver in the registry and it can communicate with other objects via the messaging system, col. 11, lines 32-45, Zondag). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include an application

programmable interface of a file manager functional component module for managing the recording medium, further comprising the step of having the source device establish, using its local registry service a global directory comprising directories of all file manager functional component module compatible devices in the network in the system of Higgins as taught by Zondag. The motivation being to provide a software element allowing the user control of the device and its functional components (col. 9, lines 21-24, Zondag).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 12 above. in addition, Higgins/Zondag disclose: further comprising the step of including directories of devices managed by an Avdisc functional component module in the global directory (i.e., registry serves as a directory service, allows any object to locate another object on the home network, col. 10, lines 24-25 and col. 9, lines 10-13, Zondag).

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. Applicant's arguments that there is no description anywhere in Higgins of the first device specifying a starting point in the file for the file transfer. Examiner points out that Higgins clearly discloses causing the client device to specifying a starting point, within said file,

Art Unit: 2161

and from which the transfer is to be carried out (i.e., the controlling client requests an isochronous user information path (or, synonymously, a "circuit connection") in a request connection step 340, fig. 3, Higgins).

Thus, based on the discussion above, the Examiner maintains her rejection position.

Contact Information

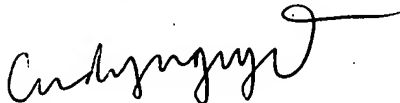
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cindy Nguyen

A handwritten signature in black ink, appearing to read 'Cindy Nguyen', with a stylized flourish extending from the end.